

House Bill 323

By: Representatives Harden of the 28<sup>th</sup>, Allison of the 8<sup>th</sup>, Battles of the 15<sup>th</sup>, Rice of the 51<sup>st</sup>, and Austin of the 10<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-3-50 of the Official Code of Georgia Annotated, relating to  
2 perfection of a security interest in a motor vehicle, so as to change the time of perfection of  
3 a security interest; to provide for related matters; to provide for an effective date; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 40-3-50 of the Official Code of Georgia Annotated, relating to perfection of  
8 a security interest in a motor vehicle, is amended by revising paragraph (2) of subsection (b)  
9 as follows:

10 "(2) The security interest is perfected as of the time of its creation if the initial delivery  
11 of the application or notice to the commissioner or local tag agent is completed within 20  
12 30 days thereafter, regardless of any subsequent rejection of the application or notice for  
13 errors; otherwise, as of the date of the delivery to the commissioner or local tag agent.  
14 The local tag agent shall issue a receipt or other evidence of the date of filing of such  
15 application or notice. When the security interest is perfected as provided for in this  
16 subsection, it shall constitute notice to everybody of the security interest of the holder."

17 **SECTION 2.**

18 This Act shall become effective on July 1, 2011.

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.